IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO.420 OF 2004
IN
WRIT PETITION NO.1328 OF 1988

Ramniklal Shankarlal Shah — Petitioner

vs.

1. Union of India & ors. — Respondents

Mr.R.V.Govilkar for the petitioner.

Mr.S.S.Pakale with Mr.Y.R. Mishra for the respondents.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 29th November 2004

P.C.

Heard.

2. No reply affidavit has been filed controverting the facts stated in the affidavit in support of the notice of motion. The facts stated in the affidavit in support of notice of motion thus remains untraversed and in view thereof, we are satisfied that notice of motion deserves to be made absolute in terms of prayers (a) and (b).

Prayers (a) and (b) read thus:

> "(a) That the delay in taking out this Notice of Motion may kindly be condoned.
>
> (b) The order dated 8th April 2004 dismissing

the writ petition no.1328 of 1988 be kindly set aside and the writ be restored to the file and be heard on merits."

3. Notice of motion stands disposed of.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)